



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First,
Second, and Third Tuesday
of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

July 7, 2009

9:00 AM Meeting Called to Order by Chairman Reid

Pledge of Allegiance led by Supervisor Hazard

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

Supervisor Hazard:

1. Received an email from a constituent who applied for a business license in March of this year and paid the annual fee of \$53; the license expired in June. This person suggested that applicants be better notified about the expiration date.
2. Received a letter from Fish and Game regarding new regulations; Hazard suggested this letter be added to the Board's agenda.

Due to time constraints, Board Members deferred reports.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Due to time constraints, the Board deferred this report.

- 2) **APPROVAL OF MINUTES**

- M09-137** A. Approve minutes of the Regular Meeting held June 9, 2009, as corrected.
Hazard/Hunt, 5-0

Supervisor Hazard corrected item #8a, under Board Discussion, as follows: "The Board agreed to designate the Planning and Technical Assistance Grant for Walker Community Center since the Board previously approved a \$200,000 allocation for the EMS station in Hammil Valley; this will be memorialized during the budget process."

M09-138 B. Approve minutes of Regular Meeting held June 16, 2009.
Hunt/Bauer, 5-0

M09-139 C. Approve minutes of Special Meeting held June 16, 2009.
Hunt/Bauer, 5-0

Closed Session: 9:06 a.m.
Break: 10:08 a.m.
Reconvened: 10:11 a.m.
Break: 11:31 a.m.
Reconvened: 11:38 a.m.
Break for Lunch: 12:09 p.m.
Reconvened: 1:12 p.m.
Break: 2:50 p.m.
Reconvened: 2:58 p.m.
Break: 5:50 p.m.
Reconvened: 5:57 p.m.
Adjourned: 6:18 p.m.

CLOSED SESSION

Nothing to report from closed session.

COUNTY COUNSEL

- 3a) Conference With Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Properties: APNs 0237002 and 0236128. Agency negotiators: Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Mark Mikulicich. Negotiating parties: Antelope Valley Fire Protection District and Mono County. Under negotiation: price and terms of payment.
- 3b) Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrator.
- 3c) Potential Litigation - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.

DEPARTMENT REPORTS/EMERGING ISSUES

Ed Zylman: Update about the senior program. Received information from San Joaquin County about their senior program, and spent two days there to attend intensive training. The training was very worthwhile and provided the necessary information to operate Mono County's program correctly.

Jeff Walters: Update about the new Ford Expeditions for the Sheriff's Department. The vehicles have arrived and will be operable after they are equipped for public safety use.

Evan Nikirk: 1) Distributed a copy of a presentation summarizing the goals and responsibilities of the Public Works Department. Nikirk has been making this presentation before public groups. 2) The surplus sale is scheduled for this upcoming Saturday. 3) Nikirk's staff has been working hard to complete several projects throughout the County. The project list will be completed once these projects are finished.

Sheriff Scholl: 1) The 4th of July weekend was relatively quiet; very few drunk drivers. Two unfortunate accidents: There was a drowning in Bridgeport Reservoir on July 2nd and a world-renowned climber was killed over the weekend. 2) Jennifer Hansen has been hired to fill the Executive Assistant position.

Brian Muir: Update about the treasury pool. The state controller will be issuing IOUs, but there is a lot of liquidity in the pool so for the short-term this is not a problem. Muir will hold the IOUs for the short-term to avoid putting a strain on the bank. Also, the schools are in fairly good shape.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Chairman Reid pulled item #5a for discussion.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

4a) Appointment to the Bridgeport Valley RPAC - Appoint Mike Garcia to the Bridgeport Valley RPAC.

M09-140 **Action:** Appoint Mike Garcia to the Bridgeport Valley Regional Planning Advisory Committee.
Hazard/Bauer, 5-0

BOARD OF SUPERVISORS

5a) California Highway Patrol - Letter of support for a motorcycle safety corridor along US-395.

M09-141 **Action:** Ratify letter supporting a motorcycle corridor safety project beginning at mile marker 93 to 120 along US 395.
Hazard/Bauer, 5-0

Because of a time constraint with this program, Reid signed the letter and then agendized it for ratification by the Board.

Officers Northington and Bithell, CHP, provided information about the motorcycle safety corridor project.

- All offices are mandated to submit a project.
- Motorcycles travel the corridor heavily during the summer months.
- The corridor between Sonora Junction north to the state line was chosen because the highway is only two lanes.
- To date, there have been six injury collisions.
- Signs would be posted to alert the public that they are driving along a motorcycle safety corridor; motorcycle riders would need to exercise more caution. There are also enhanced penalties for unsafe drivers of cars.
- The project would allow the Highway Patrol to apply for grants to be used to pay officers overtime for motorcycle enforcement.

HEALTH DEPARTMENT

- 6a) MOU for Hospital Preparedness Program (HPP) Grant Funds, Fiscal Year 2008-2009, Southern Mono Healthcare District - Consider and potentially approve County entry into proposed contract with the Southern Mono Healthcare District and the County of Mono regarding scope of work, deliverables and budget for funds to be expended under HPP grant for 2008-2009, and authorize Dr. Richard Johnson to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.
- M09-142** **Action:** Approve MOU between The Southern Mono Healthcare District and the County of Mono regarding scope of work, deliverables, and budget for funds to be expended under HPP grant for 08-09; authorize the signature of the Health Officer on said MOU.
Hazard/Bauer, 5-0
- 6b) MOU Pertaining to Hospital Preparedness Program (HPP) Grant Funds, Fiscal Year 2008-2009, Town of Mammoth Lakes - Consider and potentially approve County entry into proposed contract with the Town of Mammoth Lakes, acting by and through its Police Department (hereinafter "MLPD") regarding scope of work, deliverables, and budget for funds to be expended under HPP grant for 08-09, and authorize Dr. Richard Johnson, Health Officer, to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.
- M09-143** **Action:** Approve County entry into proposed contract. Authorize Dr. Richard Johnson, Health Officer, to sign said contract on behalf of the County.
Hazard/Bauer, 5-0

COUNTY COUNSEL

Additional Departments: Environmental Health

- 7a) Ordinance restricting construction of new wells within service areas of public water systems - Adopt proposed ordinance entitled "An Ordinance of the Mono County Board of Supervisors Adding Three Sections to Chapter 7.36 of the Mono County Code to Prohibit the Construction of Wells Within the Boundaries or Service Areas of Designated Public Water Systems."
- Ord09-01** **Action:** Adopt **Ordinance Ord09-01** entitled "An Ordinance of the Mono County Board of Supervisors Adding Three Sections to Chapter 7.36 of the Mono County Code to Prohibit the Construction of Wells Within the Boundaries or Service Areas of Designated Public Water Systems".
Hazard/Bauer, 5-0

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK-RECORDER

- 8a) Letter from California Department of Fish and Game and U.S. Fish and Wildlife Service - Letter regarding proposal to remove non-native trout in Silver King Creek and associated tributaries.

COUNTY COUNSEL

Additional Departments: CAO, Finance, Paramedics

- 9a) Property Purchase (**Marshall Rudolph, Dave Wilbrecht**) - Proposed purchase of certain real property in Hammil Valley (APN: 25-200-31). The property consists of approximately 76 acres of undeveloped land. It would be acquired for potential use as the site of a paramedic station.

R09-41 **Action:** Adopt **Resolution R09-41** approving the proposed purchase of certain real property in Hammil Valley (APN: 25-200-31) and authorizing and ratifying the County Administrator's signature on an agreement and such other documents as may be necessary to consummate the purchase and close escrow, including signing a certificate of acceptance. The purchase price of \$175,000, plus up to \$5,000 for other related expenses, will be paid from the EMS account.

Hazard/Hunt, 5-0

Marshall Rudolph: This is the moment of formal open session approval. A notice has been published in the paper three times to give the public a chance to comment about this issue. The resolution will authorize all necessary actions to be taken and will give the CAO authority to finalize the transaction. The site in question is vacant land, and has the potential to be used for an EMS station.

Board Comments

- Supervisor Hazard: Thanked staff for all their work.
- Supervisor Farnetti: Funds previously set aside in the capital improvement budget will be used for this purchase.
- Supervisors Bauer, Hunt, and Reid: Support this action; it provides the opportunity to enhance public safety.

No one from the public was present.

Additional Departments: CAO, Finance

- 9b) Purchasing Ordinance Overhaul (**Marshall Rudolph, Dave Wilbrecht, and Brian Muir**) - Proposed ordinance amending and repealing certain sections of

chapter 3.04 of the Mono County Code pertaining to purchasing, and amending certain sections of chapter 3.36 of the Mono County Code pertaining to informal bidding.

Action: Defer proposed ordinance to a future meeting for further discussion.

Marshall Rudolph: The purchasing agent concept in Mono County was created according to state law, and the ordinance applies to purchases not governed by state law. The CAO is the purchasing agent and department heads are assistant purchasing agents. The proposed ordinance would update the existing procedure, and would enhance, expand and improve the process. The current process includes several controls so power is not just with the CAO. Proposed changes include:

- Increases in spending limits for the purchasing agent and assistant purchasing agents.
- Details about the bidding process and acceptance of donations on behalf of the County.
- Authorization to lease property for County use.
- Authorization for the County to provide services to a third party.
- Express rather than implied authority for the purchasing agent to make certain decisions.
- Criteria pertaining to local vendors.
- Authorization for the purchasing agent to give assistant purchasing agents authority to enter into contracts for services.
- Authorization for the Public Works Director or CAO to approve change orders.
- Updates to the amounts on informal bids.

David Wilbrecht: The proposed ordinance is designed to create more flexibility so the CAO can expedite the process of getting work accomplished. When making purchases, department heads will continue to be expected to provide the required documentation. Wilbrecht asked the Board to provide direction regarding local preference.

Board Members agreed with the proposed ordinance in concept, but wanted more time to review the changes and consider long-term impacts.

COUNTY ADMINISTRATIVE OFFICE

- 10a) CDBG Public Hearing-Application Phase (**Mary Booher**) - Conduct public hearing to discuss and receive public input regarding potential activities to be funded with Community Development Block grant money. Receive staff report. Consider and potentially adopt resolutions authorizing application.
- R09-42** **Action:** Adopt **Resolution R09-42** approving an application for funding and the execution of a grant agreement and any amendments thereto from the Community Development Block Grant (CDBG) program, fiscal year 2009-10 General/Colonia Allocation.
Hunt/Farnetti, 5-0
- R09-43** **Action:** Adopt **Resolution R09-43** approving an application for funding and the execution of a grant agreement and any amendments thereto from the Community Development Block Grant (CDBG) program, fiscal year 2009-10 Planning/Technical Assistance (P/TA) General Allocation.
Hunt/Farnetti, 5-0

R09-44 **Action:** Adopt **Resolution R09-44** approving an application for funding and the execution of a grant agreement and any amendments thereto from the Community Development Block Grant (CDBG) program, fiscal year 2009-10 Planning/Technical Assistance (P/TA) Economic Development Allocation.
Hunt/Farnetti, 5-0

Mary Booher: The action today is one of the final steps in the grant application process. The public hearing was published in the paper twice, and Booher attended the Antelope Valley RPAC meeting to receive specific input. Booher distributed revised copies of the resolutions since match amounts increased and leverage amounts changed.

Chairman Reid opened the public hearing.

- Mary Booher provided comments from the Walker community. Regarding the master plan for the community center, Booher explained at the RPAC meeting that no local funding is available at this time for the community center so information from previous facilities plans will be used when grants become available. Residents suggested that the community center should be relocated on Highway 395. The community supported the grant application.
- No other comments.

Chairman Reid closed the public hearing.

Board Members expressed their full support.

AGRICULTURE COMMISSIONER

11a) 2008 Annual Crop and Livestock Report (**George Milovich**) - General review of the 2008 Annual Crop and Livestock Report, which is submitted in accordance with Section 2279 of the California Food and Agriculture Code. Agriculture continues to be a solid industry that is an integral part of Inyo and Mono Counties' economy. A copy of the report will be distributed at the meeting.

Action: None.

George Milovich: Provided the Board with the 2008 Crop and Livestock Report.

- Alfalfa prices increased significantly from the previous year.
- Beef prices are increasing.
- Sheep prices have fluctuated; a lot of lamb is being imported.
- Water issues in the central valley are impacting the crops being grown there.
- Crops in Inyo and Mono are holding steady.
- Grazing is one of the lowest impact activities on the environment, and benefits the economy, tradition, culture, and tourism in the County.
- The Governor is supportive of food and agriculture.
- Other than water issues, agriculture remains strong.

Milovich answered the Board's questions:

- Water is being diverted from agriculture to benefit the Delta.
- Political issues pertaining to sources of water may increase.
- Timber is low because the Forest Service has reduced thinning in the forest.
- Garlic production is cyclical, and the amount being grown fluctuates; some ranches in Smith Valley were sold.
- Alfalfa sales have been impacted because the dairy industry has cut their alfalfa

- contracts (due to cost).
- There is a bill being considered regarding cow “emissions.”
- Rustling is still an issue but the problem is not significant.
- There are some invasive insect problems; eradicating them costs millions of dollars.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

CLERK OF THE BOARD

- 12a) Southern California Edison (**Deborah Hess, Region Manager Public Affairs**) - Deborah Hess, Region Manager Public Affairs, Southern California Edison, will provide the SCE State of the Utility, and give an overview of some of the capital projects pertaining to Mono County.

Action: None.

Deborah Hess: Provided updates about Southern California Edison.

- Moving forward with smart connect, which will allow meters to “talk” with appliances. This will help customers better control their energy costs, and will notify the power company about outages.
- Future investment in the Eastern Sierra will be \$5.5 million, in addition to the Lundy Substation and a project at the geothermal plant.
- Hired six employees locally.
- Problems with switching have been corrected so outages in Benton should stop.
- Notice was sent regarding an upcoming outage; it should only last about 4 hours unless there is an unforeseen problem. The Lundy Substation has been rebuilt so in the future, maintenance can be done without shutting off power.
- Hess distributed a brochure showing the cost to operate certain appliances.
- Recently held workshops about solar power and over 100 people from Mono County attended. Legislation is currently being considered that will revise the structure of solar power use.

Chairman Reid: Expressed concern about the upcoming power outage on Friday; the outage impacts businesses in town during a heavy tourist time. Members from the local business community expressed concern. Hess will assist the local community as much as she can.

ECONOMIC DEVELOPMENT

- 13a) Letter to Humboldt-Toiyabe Urging Issuance of Federal Grazing Permits (**Dan Lyster**) - Discuss draft letter to the Humboldt-Toiyabe National Forest Supervisor Ed Monnig urging the immediate issuance of the 2009 grazing permits for Federal allotments near Bridgeport. The proposed letter will be distributed at the Board meeting.

M09-144 Action: Authorize the Chair's signature on the proposed letter and send it to all

parties deemed appropriate; appoint Supervisors Reid and Bauer to meet with the Forest Service, BLM and other parties to work on issue; agendize this issue for discussion at the Collaborative Planning Team meeting.

Hazard/Hunt, 5-0

Dan Lyster: Distributed copies of the proposed letter. After approval, Lyster will send the letter to Ed Monnig (Forest Supervisor, Humboldt-Toiyabe National Forest), and Robert Williams (Nevada State Supervisor, U.S. Fish and Wildlife Service). This letter reiterates information sent to the Forest Service in resolution form a couple of years ago. Disease transmission is still a big concern; however, mitigation may alleviate concerns. Lyster suggested inviting Monnig and Williams to a Board meeting to provide an update. Regarding grazing on Conway, they will continue to employ best practices unless otherwise directed.

Floyd Rathbun, F.I.M. Corp.: They have a band of sheep that needs to cross the forest service boundary; they have already sold three bands of sheep because of this issue. The issue of disease transmission is not supported by science; big horn sheep die from malnutrition. Federal law allows for plans to be coordinated with local policies.

Board Comments

- Supervisor Reid: The County needs to continue communicating the importance of this issue. Ranchers have expressed concern that the federal government will try to eliminate grazing on private property. Reid suggested sending the letter to all appropriate people.
- Supervisor Hazard: Suggested that one or two of the Supervisors get involved at the local level. Personal involvement may have a stronger impact than letters.
- Supervisor Bauer: NACO has a mechanism to gain cooperating status so agencies are required to meet with the local officials prior to making decisions; she will start the process.
- Supervisors Farnetti and Hunt: Supported the suggestions; Hunt suggested agendizing this issue for CPT, and include other agencies for a discussion.
- The Board would like to pursue all available avenues.

George Milovich: The progression of eliminating grazing (including cattle) is a major concern to the agricultural community and the state. He agreed that sending letters to more people could make an impact.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Housing Authority

14a)

Housing Element Update Workshop (**Larry Johnston, Mary Booher, Pam Hennarty, Scott Burns**) - Receive presentation by staff regarding Draft Housing Element Update. Provide any desired direction to staff.

Action: None.

Scott Burns: This item is a follow up to a recent Housing Authority discussion.

- An update is required every five years. The State will determine if the update is adequate; having State involvement is beneficial—it helps mitigate problems and obtain grants.
- Upcoming legislation will provide information to assist with long-term planning.
- The primary focus for the Board is the policy section; the Board will need to provide

direction.

- Mammoth Lakes Housing has helped with community outreach and tracking public opinions.
- The Planning Commission will hold a public hearing at their meeting on Thursday.
- The Planning Department will come back to the Board in August for consideration of final approval.

Pam Hennarty: Summarized community feedback.

- Communities provided positive feedback.
- Attended each RPAC meeting, and compiled comments gathered at the meetings.
- Compared the Housing Element with information received from RPACs to ensure that policies in the Housing Element are still applicable. The Housing Element does not need much updating, and not many new policies need to be added.
- Mono County is doing a good job of having policies to meet housing needs; they just need to find resources.
- There is a need for a housing rehabilitation program.

BOARD OF SUPERVISORS

15a) County Assessor Update (**Jody Henning**) - At their June 16, 2009, regular meeting, the Board of Supervisors requested an explanation from the Assessor about possessory interest and the increased permit fees for cabins on Forest Service property.

Action: None.

Jody Henning: Distributed information about this issue. Several property owners have contacted the Assessor's Office about these special use permits.

- All permits expired December 31, 2008, and the Forest Service is re-issuing permits as of January 1, 2009; new permits will reflect increased fee.
- Regarding property taxes, the renewal is considered a change in ownership, and there are laws that define assessing possessory interest.
- Property owners will experience increased permit fee and property taxes.
- The permit use fee is currently based on appraisals from 10 years ago. Policies and guidelines recently adopted will generate new appraisals based on similar characteristics between lots; loss of use due to restrictions will be considered in the value.
- Fees will be phased in starting January 1, 2011. This will allow property owners to review the Forest Service appraisal and have a new appraisal done if they so choose.
- The Assessor's Office will assess taxes based on the permit fee.

David Shelton, log cabin on Lower Twin Lakes, questioned the fairness of paying taxes on land that they don't own. Also, he does not view the new permit to be a change in ownership.

Jill Stark, resident on Silver Lake in June Lake Loop: The land on which the cabins reside is considered public land, so she is paying taxes on land used by the public. A portion of the permit fee goes back to the County, so this will impact the County.

- Supervisor Bauer: Pointed out this is not a direct funding stream; money comes back to the County in the form of PILT (payment in lieu of taxes).

Board Comments

- Supervisor Hazard: People are using their Forest Service cabins as rental units, and

some are disregarding the rules. Supervisor Bauer: This issue can be included in the County's enforcement policy.

- Supervisor Reid: Spoke with Bob Haueter from Buck McKeon's office. McKeon is well aware of the dilemma, but Congress has delegated the authority to the U.S. Forest Service. The Assessor has to abide by the codes and the Board of Supervisors has no jurisdiction in this matter; this is an unfortunate situation for the cabin owners. Reid will continue to talk to Bob Haueter about this issue.

FINANCE

- 16a) **AB 811 Contractual Assessments for Energy Efficiency Improvements (Brian Muir)** - Receive presentation by Brian Muir regarding AB 811 and contractual assessments for energy efficiency improvements.

Action: None.

Brian Muir: Gave a presentation outlining AB 811.

- Allows for property owners to get financing through the County for energy efficiency improvements.
- The Board would follow a procedure to establish this program, such as defining geographic areas, adopting a resolution, and setting the parameters/policies of the program. This would include a contract between property owners and the County.
- The County would need a plan to raise capital to pay for costs pursuant to contractual assessments.
- Pros: 1) a property owner would have a simple repayment system; 2) the tax roll would increase.
- Cons: 1) this is not a cheap program; 2) the program would use the County's debt capacity; 3) the program would require a great deal of staff time (i.e. processing documents specific to homeowners, preparing notices, and preparing an amortization schedule for each parcel); 4) there are many unanswered questions regarding the County's role and responsibilities.
- The law is not clear about addressing problems, such as work not completed by a contractor. This program could create a range of legal problems.
- CSAC Finance Corporation has delayed an AB 811 financing pool pending additional analysis, such as a review of additional due diligence and need for feasibility study of costs.
- Muir recommended waiting.

Board Members agreed that the County not get involved and wait to see what happens in other counties.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Public Health, Emergency Medical Services, Mental Health, Public Works, Finance, Social Services, Human Resources

- 17a) **Fiscal Year 2009-2010 Budget (Dave Wilbrecht, Lynda Salcido, Mark Mikulicich, Ann Gimpel, Evan Nikirk, Brian Muir, Ed Zylman, Robert Garret)** - Receive presentation by Dave Wilbrecht, Lynda Salcido, Mark Mikulicich, Ann Gimpel, Evan Nikirk, Brian Muir, Ed Zylman, and Robert Garret

regarding reductions in revenue affecting Mono County FY 2009/2010 budget and implementation of an in-house public defender department. Consider proposed resolution laying off certain employees in the Public Health and Mental Health departments. Consider adding a cook/driver and upgrading a program assistant position to a program manager in the Social Services Department.

M09-145 **Action:** 1) Direct staff to amend the County position allocation list by removing four (4) Community Health Outreach positions in the Public Health Department and one (1) Quality Assurance Coordinator position in the Mental Health Department; 2) direct staff to redraft the resolution laying off certain employees in the Public Health and Mental Health Departments; and 3) direct staff to downgrade an Environmental Health Specialist II to an Environmental Health Technician.

Bauer/ Farnetti, 4-1; Reid no

M09-146 **Action:** Approve adjusting the County allocation list to reflect adding a cook/driver and upgrading a program assistant position to a program manager in the Social Services Department, at an incremental cost of \$65,784.
Hazard/Hunt, 5-0

David Wilbrecht: The Board will meet in August to discuss the 2009-10 budget; however, prior to the formal budget process, the Board needs to address issues that will impact the budget.

Brian Muir: Presentation outlining the issues.

- Budget Update: 1) Expecting reduced property tax revenue, reduced building permit and fee revenue, and reduced sales tax and TOT revenue; 2) State program cuts will impact the General Fund; 3) Expecting overall revenues to be at the FY 07/08 level, subject to change depending on additional information.
- May have substantial carry-over offset by impacts to the General Fund caused by loss of program revenue.
- Issues will become clearer as the year progresses.
- Staff is providing this information early to give the Board time to consider potential budget issues.
- Possible actions for Health and Human Services: 1) Adopt layoff resolution; 2) Approve changes to the allocation list for Public Health and Mental Health; 3) Give direction on the continued use of health realignment to fund paramedic services or the alternative of a \$216,000 additional General Fund contribution; 4) Give other budget direction to agencies.
- Possible Actions for Public Works: 1) Road Fund—give budget direction regarding possible \$827,000 General Fund contribution or the alternative of cost reductions; 2) Solid Waste—give budget direction regarding possible tipping fee increase or the alternative of cost reductions.
- In-house public defender option: 1) Report in packet outlines implementation strategy and cost. 2) Incremental cost for this year would be \$182,000; about \$70,000 would be non-recurring. 3) Ongoing costs would be about \$100,000.
- Social Services Possible Actions: Approve changes to allocation list by 1) adding a cook/driver, and 2) upgrading a program assistant to a program manager.

Lynda Salcido provided a report on the Public Health budget:

- Don't yet have final guidance from the State.

- Anticipating a loss of \$430,000.
- The staff report and attachment outline impacts to the program due to loss of funding, including elimination of four positions—three people have already been placed in other areas.
- The Health Department should be able to continue delivering essential, mandated services using anticipated funding. The Department was not providing a lot of services beyond the mandated programs, so there was not much to cut.

Ann Gimpel provided a report on the Mental Health budget:

- Outlined impacts of State budget cuts to alcohol/drug program, realignment revenue, Medi-Cal, and CalWorks.
- Anticipating a loss of over \$410,000.
- There may potentially be one layoff of a clerical position; Gimpel is planning to not fill four vacancies. (David Wilbrecht: It may be worthwhile to fill the position that is responsible for collections.)

Ed Zylman provided a report on the Social Services budget:

- Overall, the budget is strong due to leveraging funds from various sources, plus costs are down.
- There may be cuts to CalWorks but the Social Services Department has a small CalWorks program. The biggest case load is Medi-Cal and food stamps, which is mostly federally funded.
- Two programs could be cut by the State: 1) The Work Incentive Act and the senior program (AAA program). Mono County may consider eliminating the work incentive program and absorbing the position (.5 FTE) into Social Services. If the senior program is cut, the County could continue to fund it from IMAAA, but couldn't grow the program. So far this year, the Board's allocation has not been used; don't anticipate needing General Fund money.
- Would like to reclassify one position in order to leverage federal money and better operate the senior program; and would like to add a cook/driver to better serve the seniors (the anticipated budget would include the cost of this position).

Evan Nikirk: Public Works Divisions Anticipated Shortfalls—Road Fund and Solid Waste
Solid Waste

- Locally funded; will discuss gate fees with the Solid Waste Task Force this week.
- A 13.8% increase in fees would yield about \$150,000 additional revenue; the fee was last increased in 2006.
- An increase in gate fees is a two-year solution. The minimum charge would increase the fee by 25 cents; it might be more noticeable for commercial users. Will bring this fee back for Board consideration in August.
- Depending on Board action on one of the policy items in the budget proposal for the road fund, the shortfall will be between \$250,000 and \$350,000.

Road Fund

- Expenses are increasing every year due to inflation, but revenues from the State have not changed.
- The biggest revenue source is the highway users' tax, which has not changed since 1994.
- The anticipated shortfall is \$600,000. There are very little discretionary expenses to cut; may require laying-off 7 or 8 people. Will propose a policy item in the 2009-10 Budget for a General Fund subsidy of about \$800,000.
- Will not purchase additional equipment until the Board gives further direction.

Randy Gephart and Jerry Mohun, Public Defenders:

- The public defender system is working well, and all parties involved (public defenders,

- judges, and DAs) would be happy to continue with the arrangement.
- During prior discussions, the current public defenders indicated a need for substantially more money; however, issues have been resolved and the amount negotiated in the interim agreement is reasonable.
- Complex cases could trigger an additional budgetary item, but so far these types of cases have been infrequent.
- The in-house approach will cost more than continuing with the present system using contract services. Can continue with the amount specified in the interim agreement.

Board Comments

- May need to revisit the public health fees and reconsider increases.
- Seems premature to make decisions about the budget until more information is available; difficult to look at this issue on a piecemeal basis.
- Would like more specific information about potential revenues, personnel issues (including people facing layoffs), and how departments can cut back.
- Would like to see how the County can accommodate expenditures using reserve funds.
- Need to deal fairly with people who are facing layoffs.
- The Benton senior center is only serving one client. Staff should review the possibility of serving the needs of the seniors out of the community center.
- Staff has done a good job anticipating budget problems and working with employees who may be laid off.
- The Board needs to continue the discussion about funding of the paramedic program.
- The Board needs to wait and see how big the impact will be before committing the General Fund.
- Regarding the public defenders, the Board needs additional information including a report about the number of cases annually and time spent working on them; the most current proposal from the public defenders; and a cost comparison of the options. The Board would like to consider this again in two weeks.

PUBLIC WORKS

Additional Departments: Sheriff's Dept.

- 18a) Roof Replacement at Mono County Sheriff's Office and Jail Facility (**Kelly Garcia**) - Receive staff report regarding the proposed roof replacement project at the Mono County Sheriff's Office and Jail Facility. Consider and potentially adopt and approve plans and specifications for the project and authorize advertisement for bids. Provide any desired direction to staff.

- M09-147** **Action:** 1. Adopt and approve plans and specifications for roof replacement at the Mono County Sheriff's Office and Jail Facility. 2. Authorize the Clerk to the Board, in consultation with the Department of Public Works, to advertise for bids for the project. 3. Authorize the Public Works Director to process and execute appropriate construction documents and issue bid addenda, if necessary, during the bid process.

Hunt/Farnetti, 5-0

Kelly Garcia: The Board packet contains detailed information about the project.

- Asking for the Board to approve the plans and specifications as submitted. The project needs to get started in order to take advantage of the optimal building season.
- Some modifications can be made if the bids come in too high. The award would be

based on the total bid and three alternates, which could be removed if necessary.

- There will be no change to existing siding.
- The architect has done an extensive exploration of the roof. Existing HVAC will be removed, but won't open the existing roof. Proposed structures on the roof serve as vents and tie-in to the design of the Courthouse.

David Wilbrecht: Suggested that since this has been a long meeting, the Board may want to continue the discussion and ask additional questions. This is a big project that proposes major changes. Evan Nikirk: Concurred and reiterated that the project as proposed will make big aesthetic changes.

- 18b) Report on Recorded Parcel Maps with Outstanding Improvements (**Garrett Higerd**) - Receive staff report regarding the status of recorded parcel maps with outstanding improvements and options available to ensure their completion.

Action: Deferred to July 21, 2009.

- 18c) Fencing vs. Earthwork and Future Options for Auchoberry Pit (**Garrett Higerd**) - Receive staff report regarding the benefits and drawbacks to fence installation vs. slope grading at the Auchoberry Pit. Potentially provide direction as to which option should be performed within the allocated budget. Discuss and potentially provide direction regarding the potential future uses of the property.

Action: Deferred to a future meeting.

- 18d) Status of Highway User's Tax Account Funding (**Jeff Walters or Evan Nikirk**) - Receive staff report regarding the budget status of the Highway User's Tax Account funding from the State of California for FY09-10. Consider and potentially authorize the Chairman's signature on a letter to State representatives requesting full funding of the Highway User's Tax Account for counties. Also consider and potentially adopt a proposed resolution authorizing the county counsel to cooperate with the California State Association of Counties, other counties, and cities in litigation challenging any seizure by state government of the Highway Users Tax Account funds.

- M09-148** **Action:** Authorize the Chairman's signature on a letter to State representatives, and other government leaders as applicable, requesting full funding of the Highway User's Tax Account for counties.

Hunt/Hazard, 5-0

R09-45

Action: Adopt **Resolution R09-45** authorizing the county counsel to cooperate with the California State Association of Counties, other counties, and cities in litigation challenging any seizure by state government of the Highway Users Tax Account funds.

Bauer/Farnetti, 5-0

Marshall Rudolph: CSAC's proposed resolution takes a position that county counsel should cooperate with CSAC pertaining to potential litigation.

The Board supported both the proposed letter and resolution, and asked staff to send the letter to a wide range of government officials and leaders.

BOARD OF SUPERVISORS

- 19a) State Budget (**Board Members**) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: None.

Supervisor Reid provided an update from Geoff McQuilkin about the status of state parks. Apparently the Governor intends to veto a \$15 fee for cars that could be used as an access pass to state parks. However, some state parks cannot be closed since they receive federal funding.

CLERK OF THE BOARD

- 20a) Appointment to Personnel Appeals Board (**Lynda Roberts**) - For the purpose of hearing an appeal of a final order of discipline filed by a Mono County employee, the Board of Supervisors needs to appoint one member to a three-member personnel appeals board pursuant to Mono County Code §2.68.300.

M09-149 Action: Appoint Supervisor Hunt to sit on the Personnel Appeals Board; appoint Supervisor Hazard as an alternate.

Bauer/Farnetti, 5-0

Lynda Roberts: An employee has filed an appeal of a final order of discipline, so a Personnel Appeals Board needs to convene to hear the appeal. The Board of Supervisors appoints one member to the Personnel Appeals Board—the appointment can be made from amongst the Supervisors, but it is not required. Since this employee lives outside of the County, there is not a conflict with any of the Board Members.

ADJOURN: 6:18 p.m.

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